

DETAILED ACTION

Examiner's Amendment

1. The following obvious error(s) (MPEP 1302.04) are to be corrected as indicated.
Amend specification p. 49, line 20, from "FIG. 4" to "FIG. 3".
2. An examiner's amendment to the record is attached. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given by the attached fax transmission from Robert P. Michal, Esq., on 24 March 2010.
4. The application has been amended as follows:
Replace all claims with claims 63, 66 and 69 in the attached examiner's amendment.

Allowable Subject Matter

5. Claims 63, 66 and 69 are allowed.
6. The following is an examiner's statement of reasons for allowance. The invention is a "printing information distribution" system, claimed as an apparatus and computer readable medium containing a computer program to drive the system. The invention is limited to a wireless network and intended to allow printed matter of any size and kind to be ordered online and printed at numerous convenient locations.
7. The claims were last rejected under 35 USC 103(a) as unpatentable over Eldridge et al. (US006397261B1) and at least one other piece of prior art (Office action mailed 22 January 2010). Applicant has overcome that rejection by adding the following or similar language to the end of each claim (all three of which are independent and very similar):

"at least one of,

printing service utilization reservation limiting means for limiting the subject matter of the print content which can be printed based upon preferences of an operator of the one of the printers being utilized by the user; and

advertising application limiting means for limiting a type of the advertisement placed with the print content being printed based upon preferences of a provider of the print content.” (Last eight lines of claim 63, emphasis added)

In substance, the claims have been limited to restricting the output according to the preferences of the printer “operator” or the content provider. The first limitation could, for example, allow a fast-food restaurant to prevent a user from getting any gambling-related output at the restaurant (spec. p. 95 lines 20-26). The second limitation could allow a content provider to prevent competitor’s ads from being placed with their content (spec. p. 97 lines 14-20).

8. Interpretation of claim language: The “means” disclosed is a database of restrictions (e.g., Fig. 14) and the instructions needed to implement the claimed function. “operator” means the printer location operator (disclosed as “the shop that places a print station”, spec. p. 95 lines 21-22). “the advertisement placed with print content” means the ad was added to received content by the instant invention, not made a part of the content before it was received by the instant invention. The spec. translated from Japanese discloses “the advertisement *put* with print content”; the examiner replaced *put* with “placed” because it is the appropriate English-language term of art.
9. There is a great deal of prior art implementing the user’s preferences. The examiner gave no weight to that because the structure will not generally be the same as that of the instant invention. Most of the printer user’s preferences are implemented in real time with buttons or clicks and no long-term memory or relationships with other data. The instant invention at least requires a database to remember the operator/provider and their preferences.
10. Frolik et al. (US006982804B2) reads on the inventive feature but is not prior art. The closest prior art for the inventive feature is Ginter et al. (US005892900A). Ginter teaches a comprehensive system of content rights protection, and specifically discloses content providers imposing “site based and/or time based” limitations on the distribution of their content, and teaches that the invention “may be combined with, or integrated into, many separate computers and/or other electronic appliances”, including printers.¹ Nonetheless, this is not close enough to make it clear that one of ordinary skill in the art would find it obvious to add the teachings of Ginter to those of the prior art identified in the last Office

¹ In Ginter, “site” means website, not the physical location of a printer.

action so as to produce the instant invention. Ginter is describing how a provider can limit distribution of their content; the instant invention permits a provider to limit the context of their content, specifically limit which ads can be served with their content. Since an "ad" is a broad concept, the instant invention offers providers substantial control that is not taught or suggested by the prior art.

11. The examiner did not identify any certain document as the "closest" non-patent literature. The Office's official "template" tool, a Dialog search, yielded only one document (Longworth), and that is not even prior art. Made of record are several Google searches that also failed to identify any certain close NPL. The closest NPL would be any of the many documents published before 29 October 1999 teaching user restrictions, such as any printer user manual teaching how to set printer options.
12. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Champagne whose telephone number is 571-272-6717. The examiner can normally be reached on Monday to Wednesday and Friday. The examiner can also be contacted by e-mail at donald.champagne@uspto.gov, and *informal* fax communications (i.e., communications not to be made of record) may be sent directly to the examiner at 571-273-6717.
14. The examiner's supervisor, Lynda Jasmin, can be reached on 571-272-6782. The fax phone number for all *formal* fax communications is 571-273-8300.
15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on

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access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

25 March 2010

/Donald L. Champagne/
Primary Examiner, Art Unit 3688